

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**MULHOLLAND ENERGY SERVICES,
LLC**

Plaintiff,

V.

KLAUS, INC.

Defendant/Third-Party Plaintiff,

V.

**ENBRIDGE PIPELINES, INC.;
CLEVELAND INTEGRITY SERVICES,
LLC; and CLERMONT INNOVATIVE
DESIGN, LLC,**

Third-Party Defendants.

THIRD-PARTY DEFENDANT CLERMONT INNOVATIVE DESIGN, LLC’S
MOTION TO EXTEND TIME TO FILE RESPONSIVE PLEADINGS

Third-Party Defendant Clermont Innovative Design, LLC asks the Court to extend the time for Clermont to file its responsive pleadings to Third Party Plaintiff Klaus, Inc.'s Third Party Complaint, and would respectfully show:

INTRODUCTION

1. Third Party Plaintiff is Klaus, Inc. (“Third Party Plaintiff”); Third Party Defendant is Clermont Innovative Design, LLC (“Clermont”).
2. Third Party Plaintiff brings causes of action for tortious interference with existing contracts against Clermont as well as other parties not yet served in this Third Party action.

3. Clermont was served with process on or about May 10, 2024. Therefore, the current deadline for Clermont to file and serve pleadings responsive to Third Party Plaintiff's Complaint is May 21, 2024.

4. Counsel for Clermont has conferred with counsel for Third Party Plaintiff. Counsel for Third Party Plaintiff has agreed to the requested extension of time. Correspondence confirming this agreement is attached hereto as Exhibit A.

5. Clermont files this Motion in order to have adequate time to gather relevant documentation and communications that are in the possession of another named Third Party. These documents and communications are necessary for Clermont to adequately respond to the allegations contained in the Third Party Plaintiff's Complaint, including any relevant responsive pleadings to the same.

ARGUMENT

6. The Court may grant a request to extend time for good cause pursuant to Fed. R. Civ. P. 6(b)(1)(A).

7. Clermont files this Motion in order to have adequate time to gather relevant documentation and communications that are in the possession of another entity that has been named as a Third Party Defendant to this matter. The communications sought will all Clermont to more adequately respond to the allegations contained in the Third Party Plaintiff's Complaint. Clermont is unable to accurately admit or deny the allegations contained in Third Party Plaintiff's Complaint without the documents/communications sought. Clermont is currently in the process of gathering the required documents with the cooperation of the additional Third Party Defendant. The collection of the required documents could not be completed prior the current Answer deadline.

8. Clermont respectfully requests that the Court to extend the deadline for Clermont to file its responsive pleadings by thirty (30) days. The requested extension is agreed to by counsel for Third Party Plaintiff. See Exhibit A.

9. Clermont's request to extend time is for good cause and is not intended to delay these proceedings. *See* Fed. R. Civ. P. 6(b)(1)(A). Third Party Plaintiff will not be prejudiced by the extension of time as additional Third Parties are still being served. Moreover, Third Party Plaintiff has agreed to the requested extension of time.

CONCLUSION

10. Third-Party Defendant Clermont Innovative Design, LLC asks the Court to extend the time for Clermont to file its responsive pleadings to Third Party Plaintiff Klaus, Inc.'s Third Party Complaint. For the reasons stated above, Third-Party Defendant Clermont Innovative Design, LLC respectfully requests that the Court to extend the deadline for Clermont to file its responsive pleadings by thirty (30) days.

Respectfully submitted,

GORDON REES SCULLY MANSUKHANI

By: /s/ Jared L. Byrd

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**ATTORNEYS FOR THIRD PARTY DEFENDANT
CLERMONT INNOVATIVE DESIGN, LLC**

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with Counsel for Third Party Plaintiff Klaus, Inc. via telephone and e-mail on May 29, 2024 and Counsel has agreed to the relief requested in the forgoing Motion.

/s/ Jared L. Byrd
Jared L. Byrd

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the above and foregoing was served on this the ____ day of May, 2024, pursuant to the Federal Rules of Civil Procedure, CM/EFC, to:

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/s/ Jared L. Byrd
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